

# EXHIBIT “A”

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**AMERICAN ENVIRONMENTAL  
ENTERPRISES, INC., d/b/a  
THESAFETYHOUSE.COM**

**Plaintiff,**

**v.**

**MANFRED STERNBERG, ESQUIRE,  
and MANFRED STERNBERG &  
ASSOCIATES, PC, and CHARLTON  
HOLDINGS GROUP, LLC, and  
SAMUEL GROSS a/k/a SHLOMO  
GROSS, and GARY WEISS,  
and ASOLARDIAMOND, LLC a/k/a,  
ASOLAR. LLC, and DAPHNA  
ZEKARIA, ESQUIRE, and SOKOLSKI  
& ZEKARIA, P.C.**

**Defendants.**

**CIVIL ACTION**

**No. 2022-cv-00688 (JMY)**

**SECOND CERTIFICATION OF DANIEL J. SCULLY IN SUPORT OF  
PLAINTIFF'S MOTION TO BAR EXPERT REPORTS AND TO PRECLUDE EXPERT  
TRIAL TESTIMONY ON BEHALF OF THE STERNBERG DEFENDANTS**

DANIEL J. SCULLY, of full age, being first duly sworn upon his oath, states as follows:

1. I am the President of American Environmental Enterprises, Inc. d/b/a THE SAFETY HOUSE.COM ("TSH" or "SAFETY HOUSE"), the Plaintiff in this lawsuit, and am the authorized representative of Plaintiff. I have knowledge of the facts set forth in this Certification, and of called to testify, could do so competently.

2. I respectfully submit this second Certification in response to (and in opposition to) the submission made by the Sternberg Defendants to plaintiff TSH's Motion to bar expert Reports and to preclude expert testimony of the two experts of the Sternberg Defendants.

3. On September 30, 2024, my attorney filed Plaintiff's Motion to bar expert Reports and to preclude expert testimony of the two experts of the Sternberg Defendants [ECF 197], which in part sought to preclude the Expert Report on liability dated August 16, 2024, authored by Steven E. Angstreich, Esquire (the "Angstreich Report"), of the law firm of Weir Greenblatt Pierce, LLP (the "Weir Law Firm"), to preclude Mr. Angstreich from testifying at trial.

4. One of the grounds upon which I sought to bar the Angstreich Report and the testimony of Steven Angstreich, was because of the actual conflict of interest which exists – the Weir Law Firm represented and continues to represent SAFETY HOUSE, while at the same time, Mr. Angstreich, a partner in the Weir Law Firm, has issued the Angstreich Report and rendered an expert opinion that the Sternberg Defendants desire to use against SAFETY HOUSE, the plaintiff in this lawsuit.<sup>1</sup>

5. As set forth in my initial Certification filed with the Motion to bar the Angstreich Report and the testimony of Mr. Angstreich, the Weir Law Firm has represented SAFETY HOUSE, as well as me personally, as well as one or more of my family members, in various legal matters, and the Weir Law Firm currently continues to provide legal representation to the SAFETY HOUSE.

6. As set forth in my initial Certification filed with the Motion to bar the Angstreich Report and his testimony, as recently as September 19, 2024, SAFETY HOUSE received an invoice for legal services from the Weir Law Firm (which was paid).

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<sup>1</sup> I believe and respectfully submit that in addition to the Weir Law Firm's actual conflict of interest, there are other valid grounds for the Court to preclude both Expert Reports submitted by the Sternberg Defendants, out-of-time, and in violation of prior Court Orders, as more fully set forth in detail in the TSH Motion to Bar Experts [ECF 197].

7. I am attaching to my Certification as Exhibit "1" a copy of the 9/13/24 invoice (Weir Law Firm Bill Number 88946533) that SAFETY HOUSE received from the Weir Law Firm, for the recent legal services that law firm rendered to TSH.

8. I am attaching to my Certification as Exhibit "2" a copy of the 9/25/24 payment (SAFETY HOUSE check #2881669) that the SAFETY HOUSE sent to the Weir Law Firm, for payment of their September 2024 invoice, for the recent legal services that the Weir Law firm rendered to TSH.

9. The Weir Law Firm accepted the payment that SAFETY HOUSE sent to them, and deposited TSH's check into the bank account of the Weir Law Firm, as evidenced by the reverse side of the TSH check attached to my Certification as Exhibit "2."

10. On September 30, 2024, my attorney filed and served TSH's Motion to Bar Expert Reports and to preclude the expert testimony of Mr. Angstreich [ECF197].

11. On October 1, 2024, the day after my attorney filed TSH's Motion to Bar Expert Reports and to preclude expert testimony of Mr. Angstreich, the Weir Law Firm sent SAFETY HOUSE a letter dated October 1, 2024, in which the Weir Law Firm stated:

"October 1, 2024

TheSAFETYhouse.com  
c/o Dan Scully  
99 Aldan Avenue, Suite 5  
Glen Mills, PA 19342

RE: Refund

Dear Mr. Scully:

Enclosed please find our firm's check in the amount of \$420.00.  
This check represents a refund for an erroneous billing."

12. I am attaching to my Certification as Exhibit "3" a copy of the October 1, 2024 letter that the Weir Law Firm sent to SAFETY HOUSE, with a copy of the check they sent as a purported refund for the alleged "erroneous billing."

13. The check that the Weir Law Firm sent back to TSH was *not* the SAFETY HOUSE payment that we made to the Weir Law Firm on account of their bill (Bill Number 88946533) that their law firm sent to TSH – the Weir Law Firm accepted that TSH check and deposited the SAFETY HOUSE check into their law firm's bank account.

14. The time reflected in Bill Number 88946533 that the Weir Law Firm sent to SAFETY HOUSE (0.60 hours, at \$700.00 per hour, for Walter Weir on 8/27/24 to review certain emails TSH sent to him, and to review the Texas Statute of Limitations pertaining to a potential Texas claim against TSH, and to call me about that potential claim), was not "erroneous" but was for actual legal services performed by the Weir Law Firm for SAFETY HOUSE in August of 2024.

15. I believe and respectfully submit that the only "erroneous billing" of the Weir Law Firm was the billing they made to the Sternberg Defendants, for Mr. Angstreich to prepare an Expert Report that the Weir Law Firm and the Sternberg Defendants now wish to use against SAFETY HOUSE, while SAFETY HIOUSE was a client of the Weir Law Firm.

16. I point out to the Court that it was not until after SAFETY HOUSE filed its Motion to bar the testimony of Mr. Angstreich and preclude his Expert Report, that the Weir Law Firm tried to return the payment made by TSH to them and claim it was "erroneous."

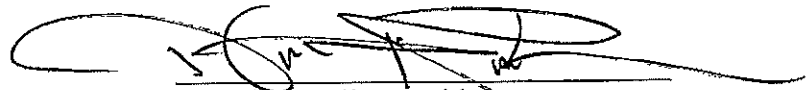
17. I believe and respectfully submit that had TSH not sought to disqualify Mr. Angstreich and the Weir Law Firm from serving as an expert for the Sternberg Defendants, that the Weir Law Firm then would *not* have sought to return the payment that TSH made to them on account of the legal services that their law firm rendered to TSH, and that they would *not* have

claimed it was “erroneous,” but instead, the law firm would have kept the payment TSH made to them, which they initially accepted and deposited, on account of the legal bill they sent TSH.

18. I believe and respectfully submit that the Weir Law Firm cannot “cure” their actual conflict of interest, but claiming, *after the fact*, that they sent TSH an “erroneous billing,” especially inasmuch as the time reflected on their bill was actual time for actual legal services that their law firm provided to TSH in August of 2024.

19. I object to the Sternberg Defendants use of both the Angstreich Report and the testimony of Mr. Angstreich at the trial in this lawsuit, if this Honorable Court does not grant TSH’s Motion for Summary Judgment [ECF 196], that TSH filed and that also is pending before the Court.

I certify subject to the penalties of perjury that the foregoing facts are true and correct to the best of my knowledge, information and belief.



Daniel J. Scully, President  
American Environmental Enterprises, Inc.  
d/b/a THE SAFETY HOUSE.COM

DATED: October 29, 2024

#### **EXHIBITS TO CERTIFICATION**

<b><u>EXHIBIT</u></b>	<b><u>DESCRIPTION</u></b>
“1”	September 13, 2024, Weir Law Firm Invoice (Weir Bill Number 88946533) that the Weir Law Firm sent to SAFETY HOUSE
“2”	September 19, 2024, TSH check sent to Weir Law Firm in payment of Weir Law Firm Bill Number 88946533, cashed by the Weir Law Firm
“3”	October 1, 2024, letter from the Weir Law Firm to SAFETY HOUSE, with “refund” check for purported “erroneous billing”

**EXH “1”**

LAW OFFICES  
**WEIR GREENBLATT PIERCE LLP**

SUITE 500  
 THE WIDENER BUILDING  
 1339 CHESTNUT STREET  
 PHILADELPHIA, PA 19107

(215) 665-8181  
 FAX (215) 665-8464

Federal Tax I.D. 23-~~4830071~~

September 13, 2024

THESAFETYHOUSE.COM  
 c/o DAN SCULLY  
 99 ALDAN AVENUE  
 SUITE 5  
 GLEN MILLS, PA 19342

Re: 4792 0004

GENERAL MATTERS

Bill Number: 88946533

Professional Services through August 31, 2024

Atty	Service Date	Hours	Rate	Description	Amount
WW	08/27/2024	0.60	700.00	REVIEW EMAILS FROM SCULLY, REVIEW LETTER AND ORDER, PHONE CALL SCULLY, REVIEW TEXAS STATUTE OF LIMITATIONS	\$420.00
					\$420.00
WW		0.60 hrs at	700.00 /hour		\$420.00

Disbursements through August 31, 2024

Total Disbursements \$0.00

Total Services	\$420.00
Total Services and Disbursements	\$420.00
Balance Due	\$420.00

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LAW OFFICES  
**WEIR GREENBLATT PIERCE LLP**

SUITE 500  
THE WIDENER BUILDING  
1339 CHESTNUT STREET  
PHILADELPHIA, PA 19107

(215) 665-8181  
FAX (215) 665-8464

Federal Tax I.D. 23-~~2222~~271

THESAFETYHOUSE.COM  
c/o DAN SCULLY  
99 ALDAN AVENUE  
SUITE 5  
GLEN MILLS, PA 19342

Bill Number: 88946533  
Bill Date: September 13, 2024  
Client Number: 4792  
Matter Number: 0004

NET BALANCE FORWARD FOR THIS MATTER	\$0.00
CURRENT INVOICE	\$420.00
TOTAL BALANCE DUE	\$420.00

-- REMITTANCE COPY --

PLEASE SEND WITH CHECK

PLEASE REMIT PAYMENTS BY CHECK TO THE FOLLOWING ADDRESS:

WEIR GREENBLATT PIERCE LLP  
1339 CHESTNUT STREET  
SUITE 500  
PHILADELPHIA, PA 19107

FOR YOUR CONVENIENCE WE NOW ACCEPT PAYMENT BY CREDIT OR DEBIT  
CARD EITHER OVER THE PHONE OR BY COMPLETING THE FORM BELOW  
AND MAILING TO THE ABOVE ADDRESS:

Please charge my credit card \$ \_\_\_\_\_ CVV # \_\_\_\_\_

Card Number: \_\_\_\_\_ Expiration \_\_\_\_\_

Name and Address of Card Holder: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ALL INVOICES ARE DUE UPON RECEIPT.  
BALANCE DUE REFLECTS PAYMENTS RECEIVED THROUGH INVOICE DATE.  
ANY TIME, DISBURSEMENTS, AND CHARGES RELATING TO THIS MATTER NOT SHOWN  
ABOVE WILL APPEAR ON NEXT MONTH'S BILL.

**EXH “2”**



**Fulton Bank**<sup>TM</sup>  
LISTENING IS JUST THE BEGINNING. &

10  
 11  
 12  
 13  
 14  
 15  
 16

9/25/2024

001027 224

BY THE ORDER OF

Weir &amp; Partners LLP

Four hundred twenty and 00/100 \*\*\*\*\*  
Weir & Partners LLP  
Suite 500 - The Widener Bldg.  
1339 Chestnut St.  
Philadelphia PA 19107

**Weir & Partners LLP**  
**Suite 500 - The Widener**  
**1339 Chestnut St.**  
**Philadelphia PA 1910**

**Office**

**0006** **222710E7E01** **19971883**

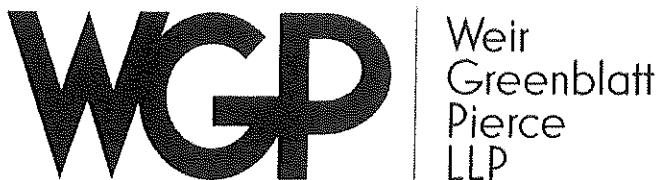
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FOR DEPOSIT ONLY  
Sanlander Bank N.A.  
139

☐ CHECK NAME AFTER MOBILE OR PERSON

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**EXH “3”**



A Pennsylvania Limited Liability Partnership  
PENNSYLVANIA • NEW JERSEY • DELAWARE • NEW YORK

1339 CHESTNUT STREET • SUITE 500  
PHILADELPHIA, PA 19107  
(215) 665-8181  
(215) 665-8464 FAX  
WG PLLP.com

October 1, 2024

TheSAFETYhouse.com  
c/o Dan Scully  
99 Aldan Avenue, Suite 5  
Glen Mills, PA 19342

**Re: Refund**

Dear Mr. Scully:

Enclosed, please find our firm's check in the amount of \$420.00. This check represents a refund for an erroneous billing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tracy McFadden', is written over a horizontal line.

Tracy McFadden  
Controller

/tm  
Enclosure

82535

WEIR GREENBLATT PIERCE LLP

The SAFETYhouse.com

Invoice Number	Invoice Date	Invoice Amount	Amount Paid
500-003	10/01/2024	\$420.00	\$420.00

10/01/2024 The SAFETYhouse.com  
m - Refund for  
payment of bill that  
was sent in error

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

**WEIR GREENBLATT PIERCE LLP**  
ATTORNEY OPERATING ACCOUNT  
THE WIDENER BUILDING  
1339 CHESTNUT STREET  
SUITE 500  
PHILADELPHIA, PA 19107

SANTANDER BANK  
60-7166/2313

82535

82535

**PAY**  
TO THE  
ORDER OF

Four hundred twenty and NO/100

The SAFETYhouse.com  
99 Aldan Avenue, Suite 5  
Glen Mills, PA 19342

DATE  
10/01/2024

AMOUNT  
\$420.00

VOID AFTER 120 DAYS

*Gusman Verbenet*  
AUTHORIZED SIGNATURE

MP

Security Features Included Details on back

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